

81-40-A
1

PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John Bartsocas & Pat Bartsocas, legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

hereby petition for a Variance from Section 413.2f to Permit Three Free

Standing Signs with a total square footage of 215 feet in lieu of the

permitted 100 square feet and to permit sign height of 26.5 feet in

in lieu of the permitted 25 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) The signs as existing on this property pre-exist the present ownership of the Golden Forty Inn. To remove the signs at this time from their present location or to reduce them in size would have a dramatic effect upon the business of the Golden Forty. The Golden Forty Inn does extensive advertising in the Baltimore Metropolitan area. These signs, as presently used, are needed to make plainly visible to the road-side public the location of the Golden Forty.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

DATE October 11, 1980
ORDER RECEIVED FOR FILING
Property Owner: JOHN BARTSOCAS
Contract purchaser: PAT BARTSOCAS
Address: 102 W. Pennsylvania Avenue, Towson, Maryland 21204
Protestant's Attorney: Benjamin Bronstein
Address: 102 W. Pennsylvania Avenue, Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of July, 1980 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 26th day of August, 1980, at 3:30 o'clock P.M.

(over)

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE

PETITIONER'S
EXHIBIT



PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

of:
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

August 14, 1980

Benjamin Bronstein, Esquire
102 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 1
Petitioner: John Bartsocas, et ux
Variance Petition

Dear Mr. Bronstein:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site field inspection of the property. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your clients' proposal to legalize the height and square footage of certain existing signs at the Golden Forty Inn, this Variance is required.

Enclosed are all comments submitted to this office from the Committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf
Enclosures

cc: D. J. Thaler & Associates, Inc.
11 Warren Road
Baltimore, Maryland 21208



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

August 6, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #1, Zoning Advisory Committee Meeting, July 1, 1980, are as follows:

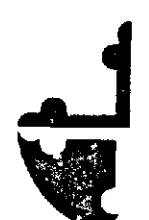
Property Owner: John and Pat Bartsocas
Location: NW/S Pulaski Highway 779' SW from centerline of Little Gunpowder River
Acres: 215 sq. ft. Total 26 1/2 ft in height
District: 11th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

August 11, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments on Items 1, 2, 5, 6, 7, and 8 of the Zoning Advisory Committee Meeting of July 1, 1980.

Very truly yours,

Michael S. Flanigan
Engineer Associate II

MSF/hmd



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

August 15, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #1 (1980-1981)
Property Owner: John & Pat Bartsocas
N/W Pulaski Highway 779' S/W from centerline of Little Gunpowder River
Acres: 215 sq. ft. - Total 26 1/2 ft. in height
District: 11th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 1 (1980-1981).

Very truly yours,

Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END:EAM:FWK:ss

cc: J. Wimbley

QQ-SW Key Sheet
45 & 46 NE 46 Pos. Sheet
NE 12 L Topo
64 Tax Map



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

July 19, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #1, Zoning Advisory Committee Meeting of July 1, 1980, are as follows:

Property Owner: John & Pat Bartsocas
Location: NW/S Pulaski Highway 779' S/W from centerline of Little Gunpowder River
Existing Zoning: M-CR
Proposed Zoning: Variance to permit three free standing signs with a total sq.ft. of 215' in lieu of 100 sq.ft. To permit sign heights of 26 1/2 ft. in lieu of permitted 25 ft.
Acres: 215 sq.ft. - Total
District: 11th

The proposed signs will not pose any health hazards.

Very truly yours,

Ian J. Perreault, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJP/mw



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. RENGKE
CHIEF

August 21, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: John & Pat Bartsocas

Location: NW/S Pulaski Highway 779' S/W from centerline of Little Gunpowder River
Item No: 1 Zoning Agenda: Meeting of July 1, 1980

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: Edward J. Flannery Noted and
Planning Group Approved: George M. McGonigal
Special Inspection Division Fire Prevention Bureau

ORDER RECEIVED FOR FILING

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variances requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of October, 1980, that the herein Petition for Variances to permit three existing free-standing signs with a total of 215 square feet in lieu of the permitted 100 square feet and an existing sign height of 26.5 feet in lieu of the required 25 feet should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Any replacement sign shall conform to the zoning regulations in existence at time of replacement.
2. Permits for the existing signs shall be obtained.
3. Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond
Zoning Commissioner of
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3613

TED ZALESKI JR.
CITY CLERK

July 14, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 1 Zoning Advisory Committee Meeting, July 1, 1980
are as follows:

Property Owner: John & Pat Bartsocas
Location: NW/4 Pulaski Highway 779' S/W from Centerline of Little Gunpowder River
Existing Zoning: R-1
Proposed Zoning: Variance to permit three free standing signs with a total sq. ft. of 215' in lieu of 100 sq. ft. To permit sign height of 26 1/2 ft. in lieu of permitted 25 ft.
Acres: 215 sq. ft. - Total 26 1/2 ft. in height
District: 11th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, and other applicable Codes.
- X B. A building/ sign permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required set s of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 241.
- X I. Comments - It is assumed the structure (signs are not in a flood plain area), if so, construction would be prohibited.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.
If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burman
Charles E. Burman, Chief
Plans Review

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: June 26, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: July 1, 1980

RE: Item No: 1, 2, 3, 4, 5, 6, 7, 8
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
NW/4 Pulaski Hwy. 779' SW of Little :
Gunpowder River, 11th District : OF BALTIMORE COUNTY

JOHN BARTSOCAS, et ux, : Case No. 81-40-A
Petitioners :

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 5th day of August, 1980, a copy of the foregoing Order was mailed to Benjamin Bronstein, Esquire, 102 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Hession, III
John W. Hession, III

D. S. THALER & ASSOCIATES, INC.
111 W. CHESAPEAKE AVENUE • BALTIMORE, MARYLAND 21204 • (410) 341-1100

March 10, 1980

DESCRIPTION TO ACCOMPANY VARIANCE PETITION FOR EXISTING SIGNS THALER CASE - 11th

Begin at the same on the northwest side of the Pulaski Highway,
779 feet ± measured in a southwestern direction from the centerline of the
Gunpowder River, and running thence North 33°17'34" West 360.09 feet, thence
North 89°00' East 235.00 feet, more or less, thence South 55°31'09" East 360.41
feet, to the northwest side of the Pulaski Highway and thence South 55°12' West
249.00 feet to the place of beginning.

D. S. THALER & ASSOCIATES, INC.
111 W. CHESAPEAKE AVENUE • BALTIMORE, MARYLAND 21204 • (410) 341-1100

March 10, 1980

DESCRIPTION TO ACCOMPANY VARIANCE PETITION FOR EXISTING SIGNS THALER CASE - 11th

Begin at the same on the northwest side of the Pulaski Highway,
779 feet ± measured in a southwestern direction from the centerline of the
Gunpowder River, and running thence North 33°17'34" West 360.09 feet, thence
North 89°00' East 235.00 feet, more or less, thence South 55°31'09" East 360.41
feet, to the northwest side of the Pulaski Highway and thence South 55°12' West
249.00 feet to the place of beginning.

Mr. William E. Hammond
Zoning Commissioner
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 81-40-A
Building Permit Application 31918
No. _____
15 Election District

Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the construction of improvements on the property prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County Maryland and you from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has begun.

Very truly yours,

John Bartsocas
John Bartsocas, Attorney
Nov 13, 1978

*I am relieved by my attorney, client
to waive the appeal period*
John Bartsocas

CIVIL ENGINEERS • SITE PLANNERS

CIVIL ENGINEERS • SITE PLANNERS

PETITION FOR VARIANCE
11th District

ZONING: Petition for Variance for signs
LOCATION: Northwest side of Pulaski Highway, 779 feet Southwest of Little Gunpowder River
DATE & TIME: Tuesday, August 26, 1980 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit three free standing signs with a total square footage of 215 feet in lieu of the permitted 100 square feet and to permit sign height of 26.5 feet in lieu of the permitted 25 feet

The Zoning Regulations to be excepted as follows:

- Section 413.2f - other business signs (not exceeding three on any premises) may be used if limited to a total area of 100 square feet
- Section 413.5d - no signs erected on ground elevated above the level of the street which it abuts shall exceed 25 feet in height. No sign erected on ground between the level of the street which it abuts shall extend more than 25 feet above the level of the street which it abuts, except that in no case shall the total height of the structure exceed 35 feet

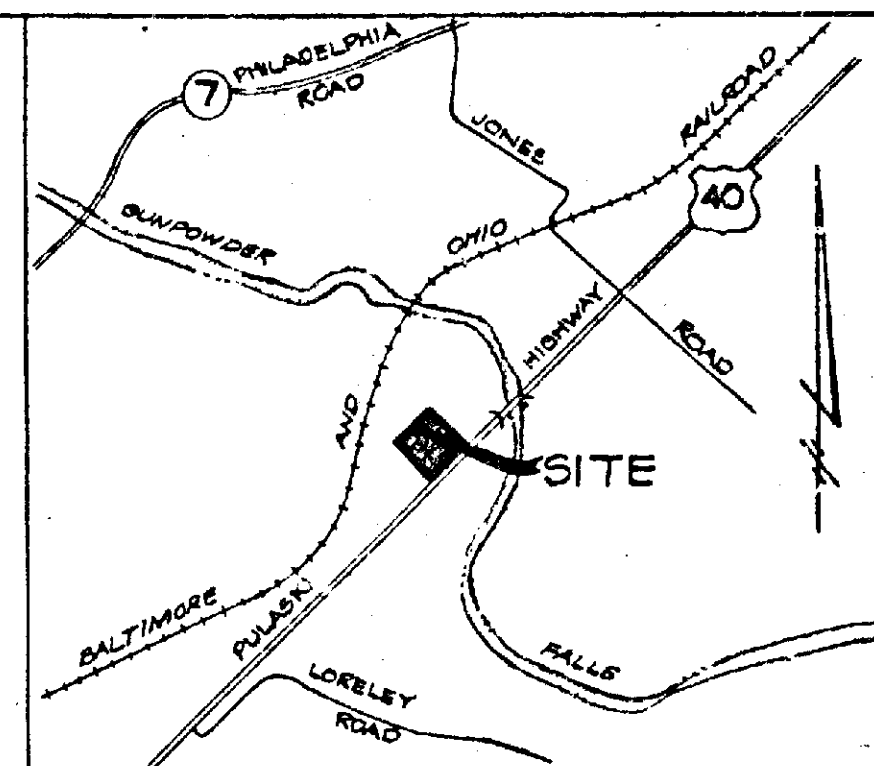
All that parcel of land in the Eleventh District of Baltimore County

Being the property of John Bartsocas, et ux, as shown on plat plan filed with the Zoning Department

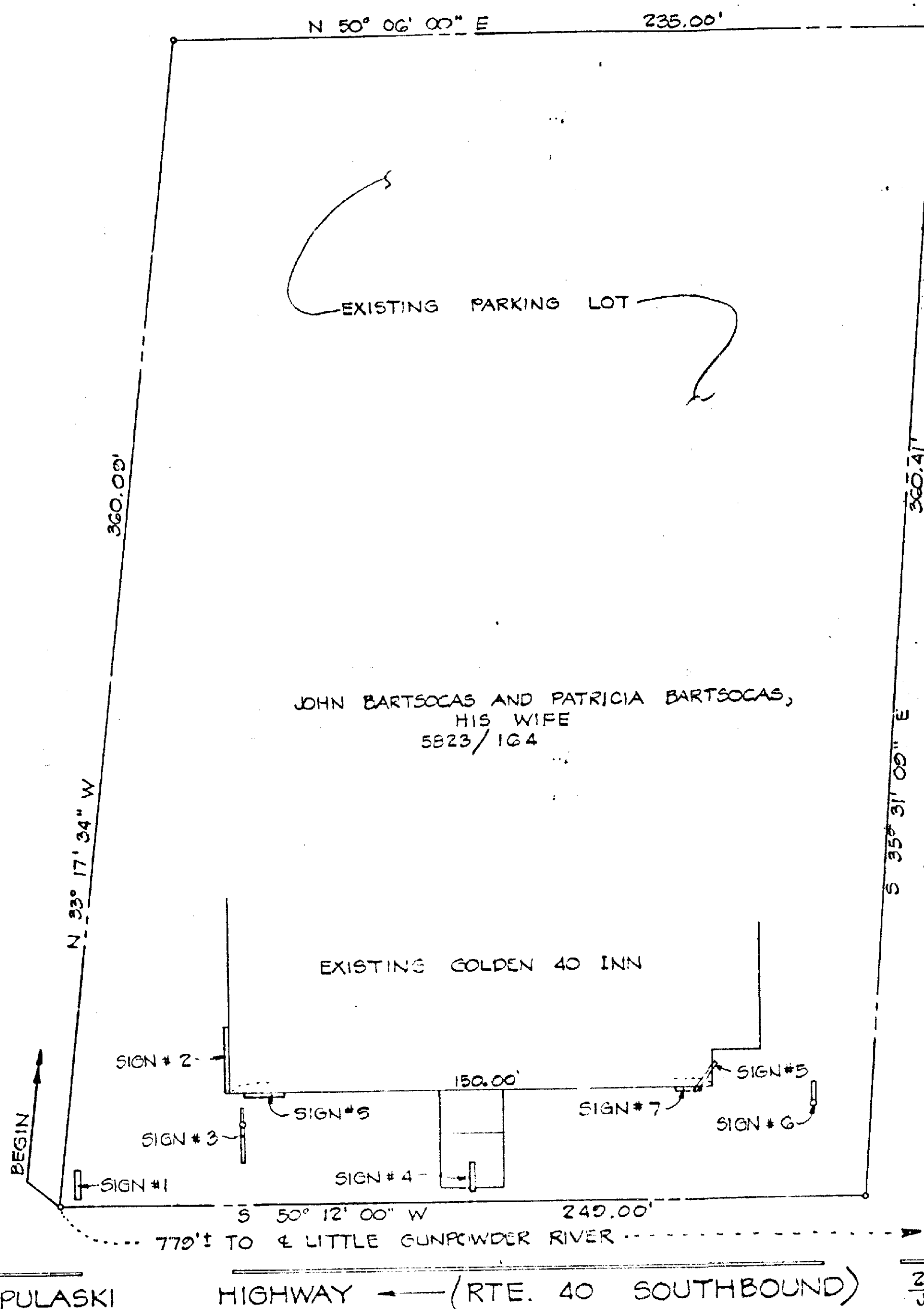
Hearing Date: Tuesday, August 26, 1980 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE AND OHIO RAILROAD
ZONED RC-5



LOCATION MAP
Scale: 1" = 2000'

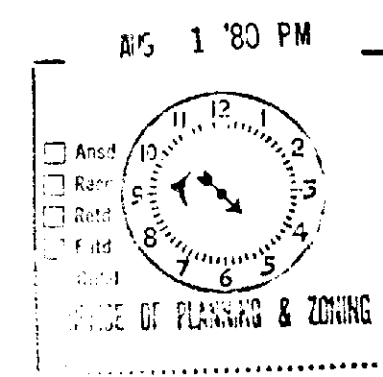


EX. GASOLINE SERVICE
STATION
ZONED BL

GENERAL NOTES

1. Ex. Zoning of Site = BL-CR
2. Utilities are existing in Pulaski Highway

PETITIONER'S
EXHIBIT 1

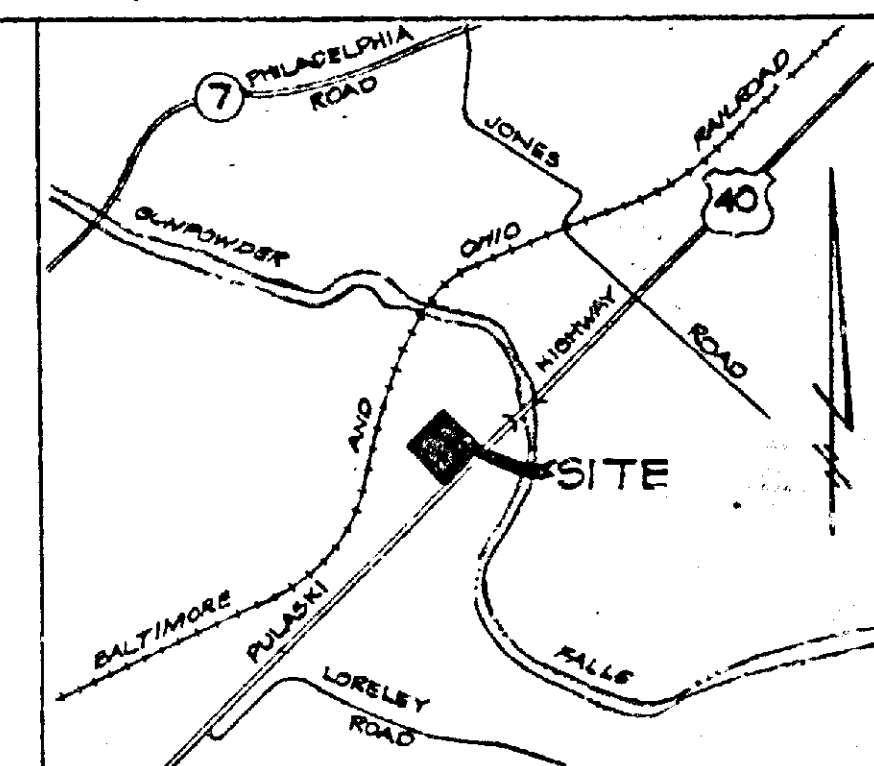


OFFICE COPY
REVISED PLANS
JTB/H

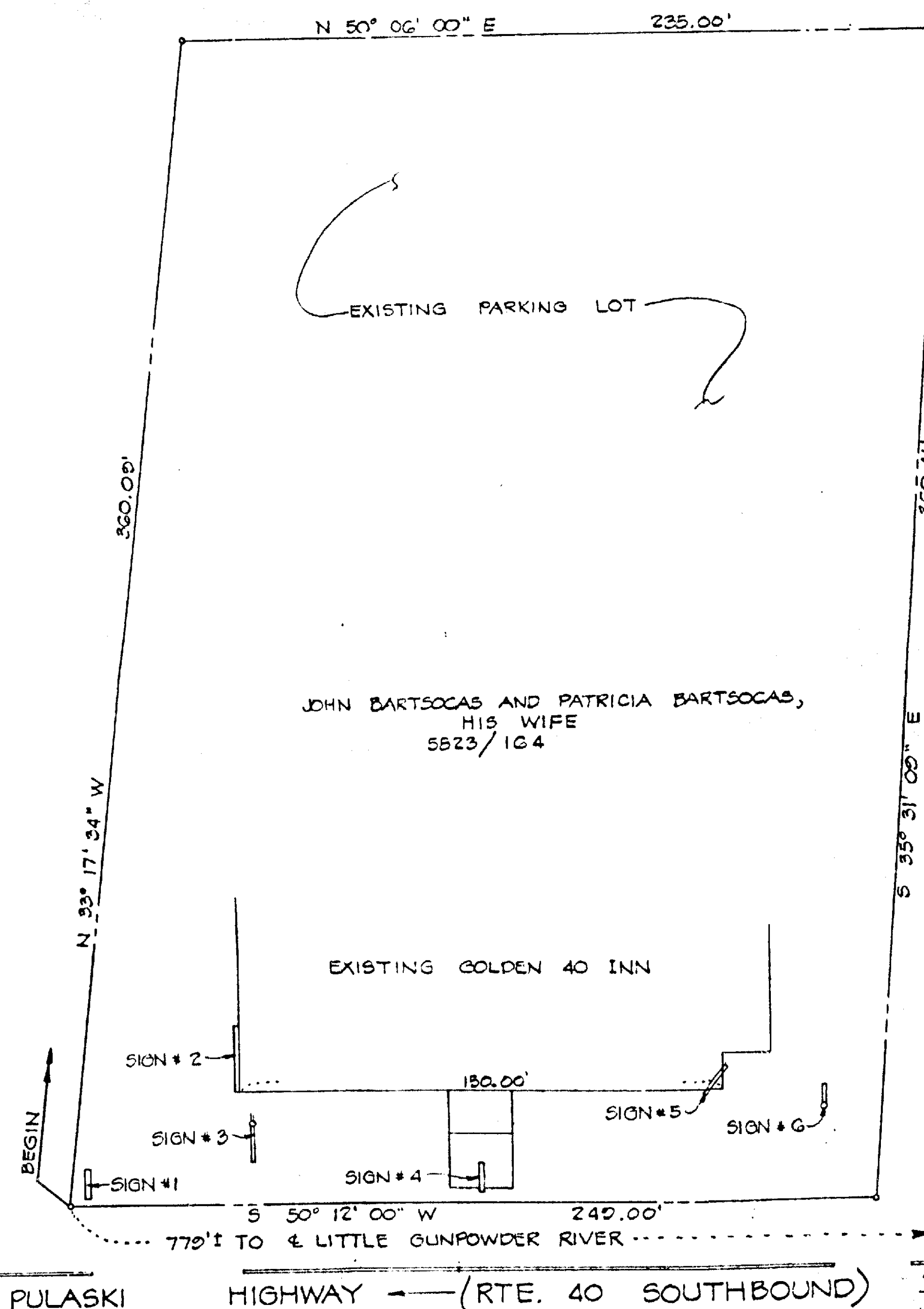
PLAT TO ACCOMPANY VARIANCE
PETITION FOR SQUARE FOOTAGE OF
EX. SIGNS # 1, 3 & G AND HEIGHT OF SIGN # 3
11th ELECT. DISTRICT BALTIMORE COUNTY, MD.
SCALE: 1" = 20'
SHEET 1 OF 2
FEBRUARY 20, 1980
REvised: JULY 23, 1980 - JTB

ENGINEERS
D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MARYLAND 21208

BALTIMORE AND OHIO RAILROAD
ZONED RC-5



LOCATION MAP
Scale: 1" = 2000'

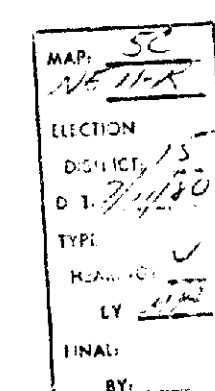


EX. GASOLINE SERVICE
STATION
ZONED BL

GENERAL NOTES

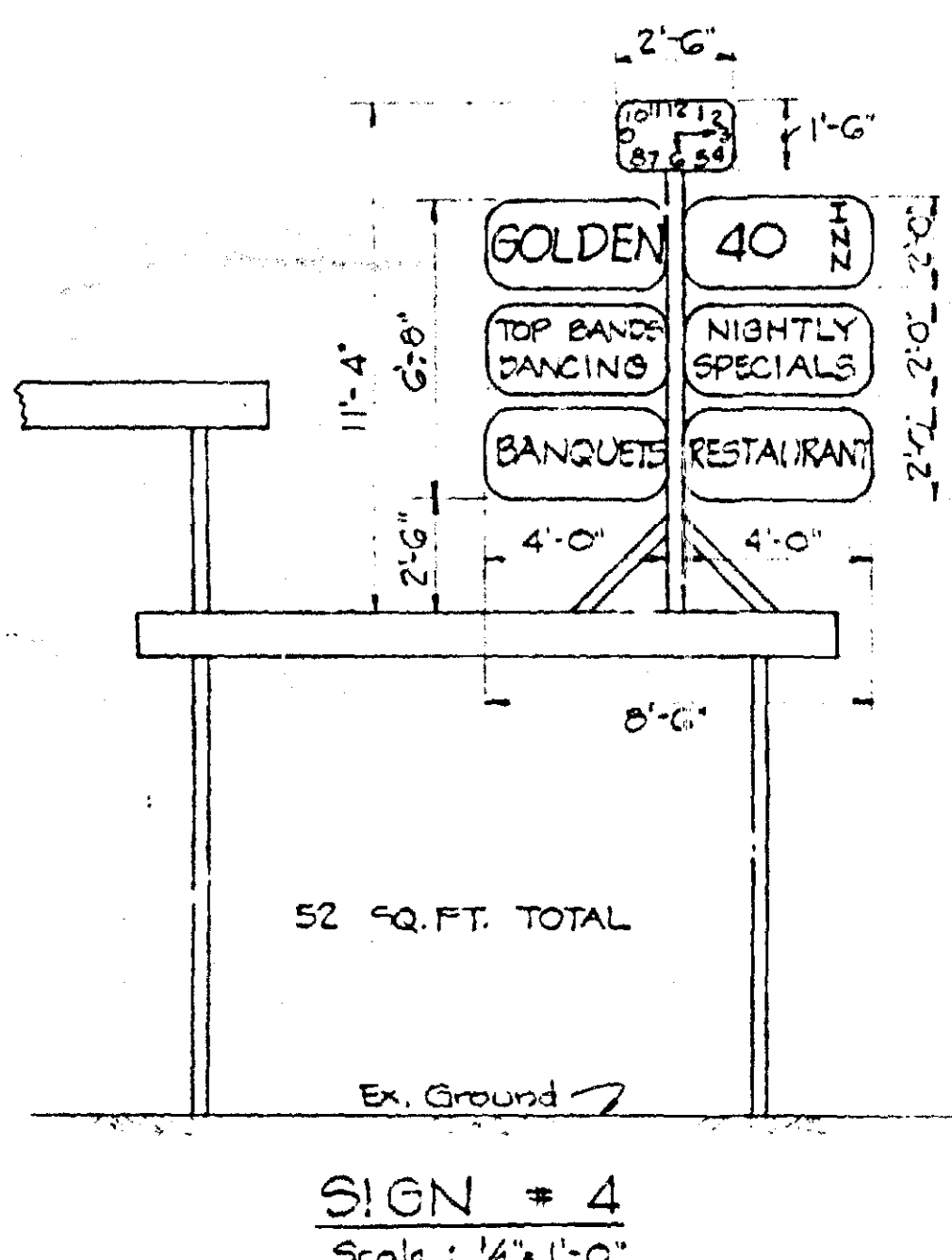
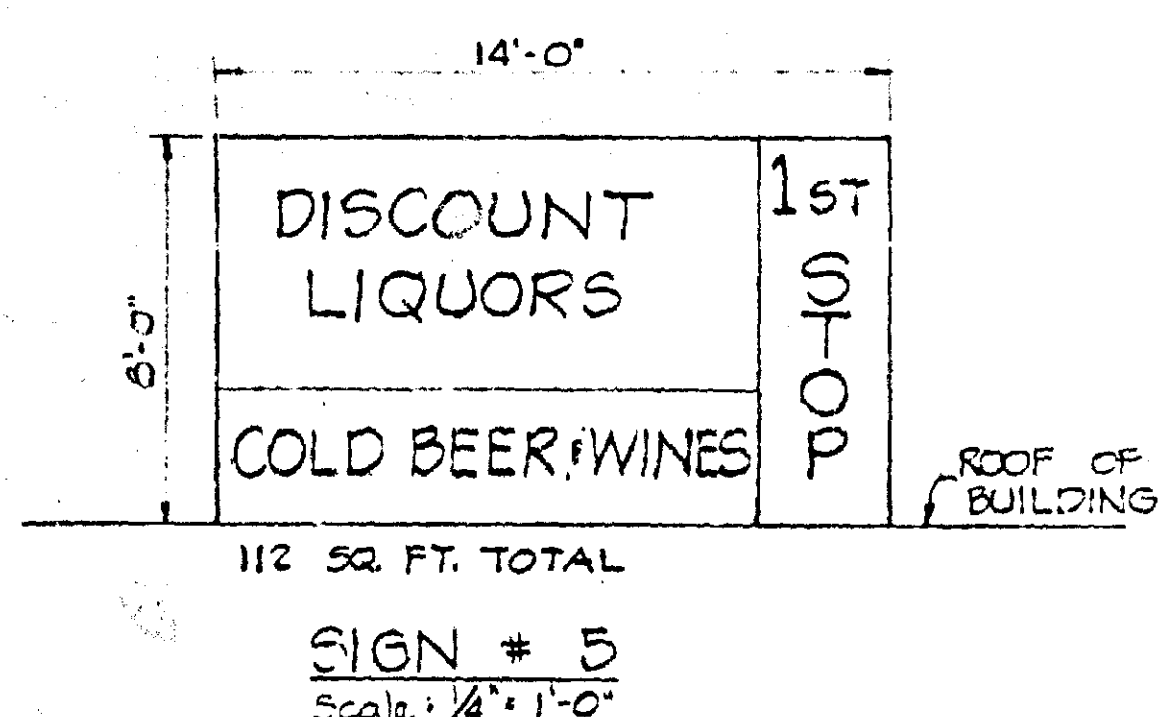
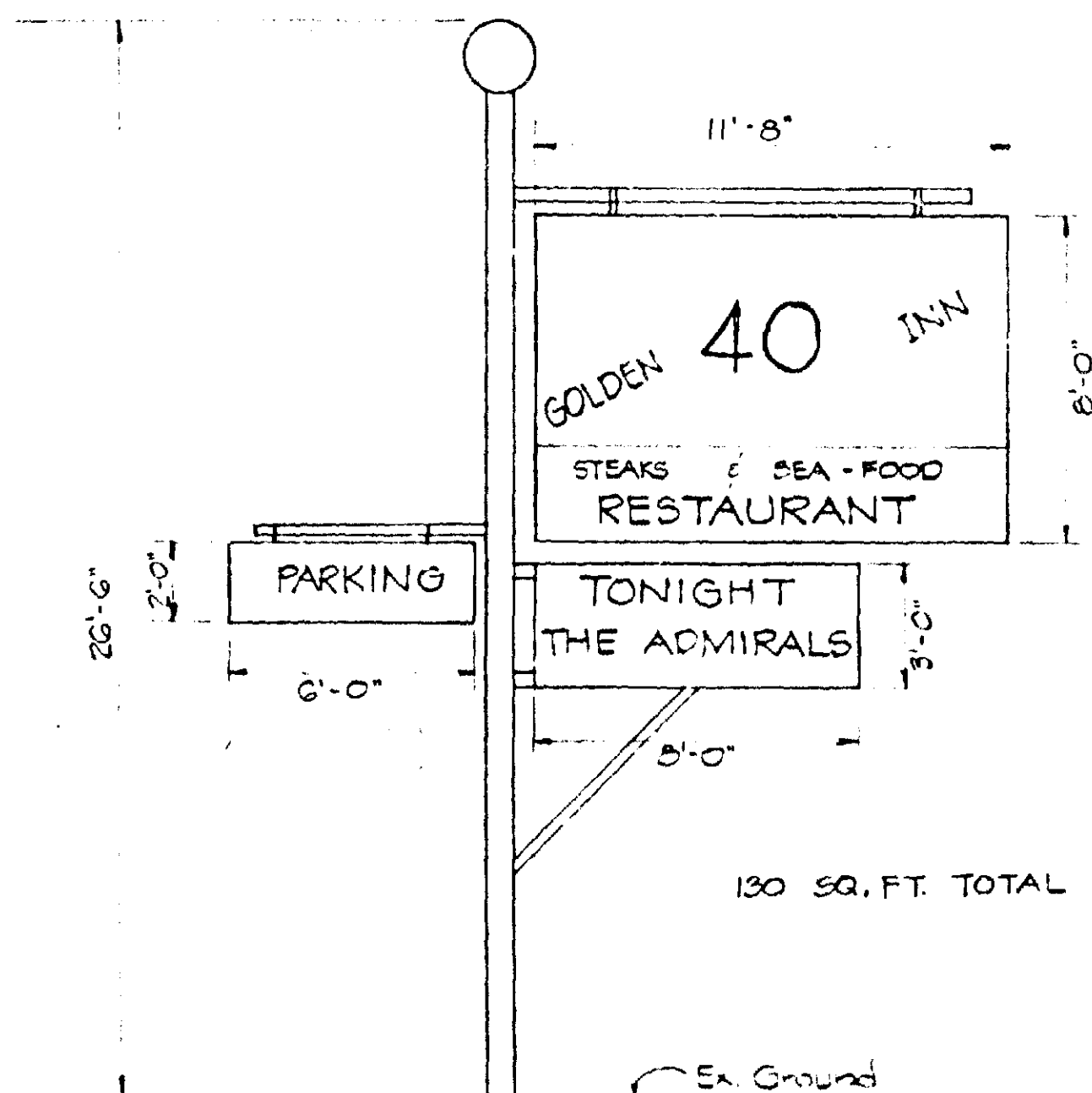
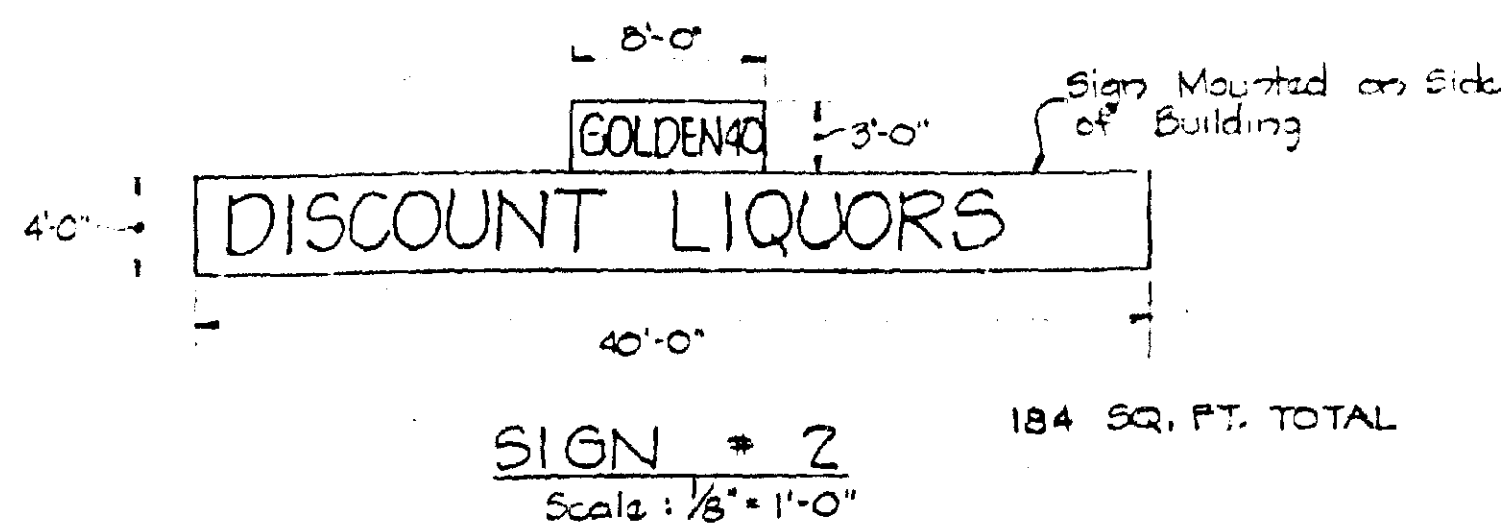
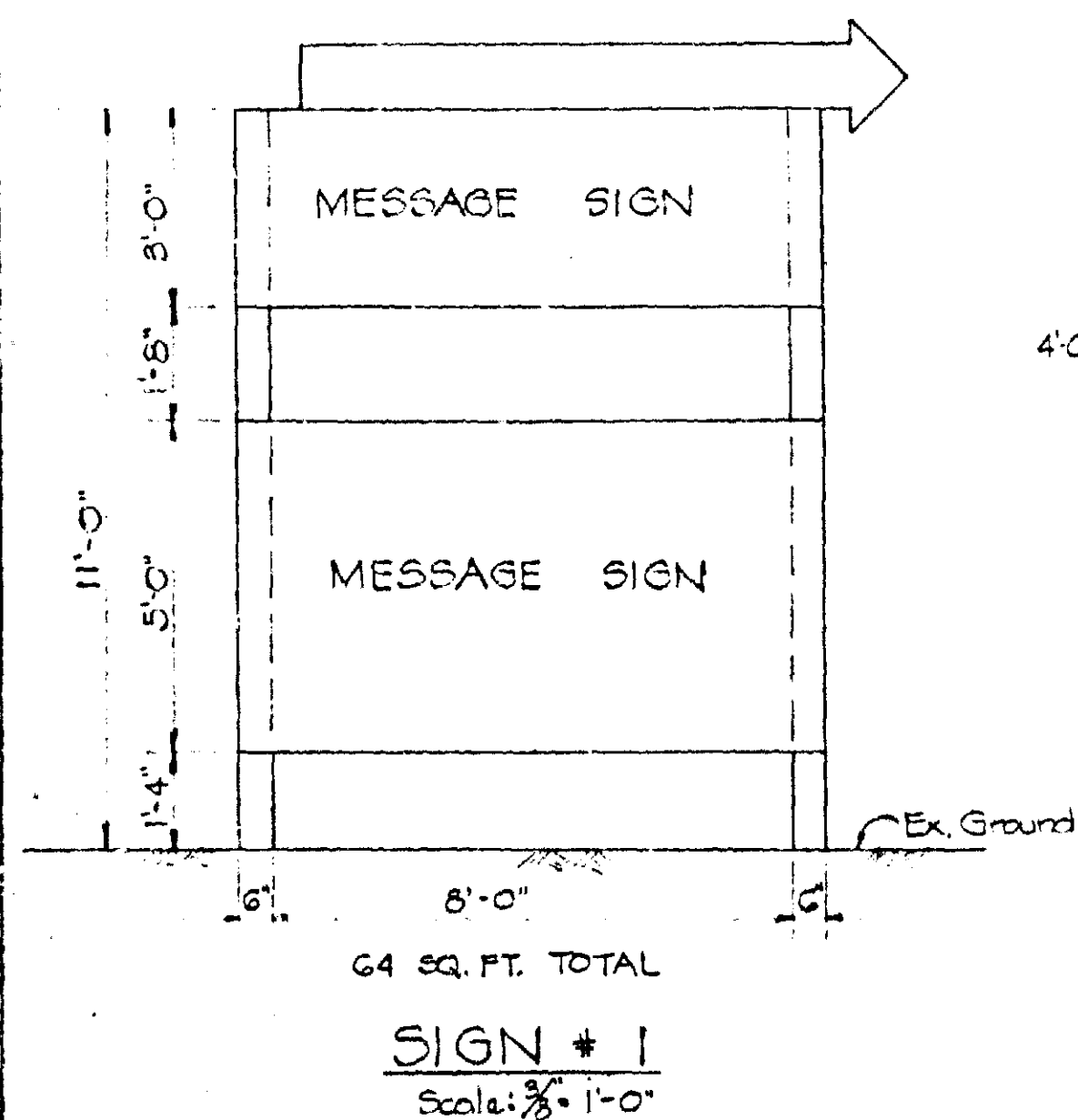
1. Ex. Zoning of Site = BL-CR
2. Utilities are existing in Pulaski Highway

Red
Plot

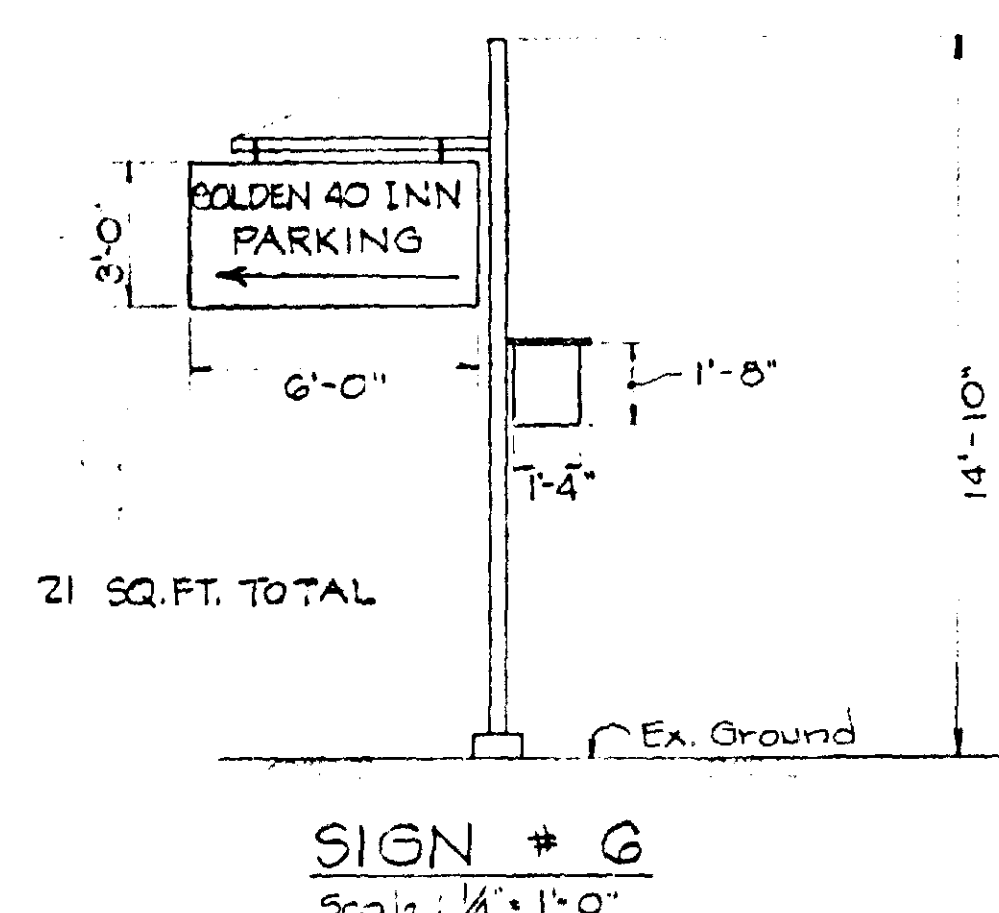


PLAT TO ACCOMPANY VARIANCE
PETITION FOR SQUARE FOOTAGE OF
EX. SIGNS # 1, 3 & G AND HEIGHT OF SIGN # 3
11th ELECT. DISTRICT BALTIMORE COUNTY, MD.
SCALE: 1" = 20'
SHEET 1 OF 2
FEBRUARY 20, 1980

ENGINEERS
D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MARYLAND 21208

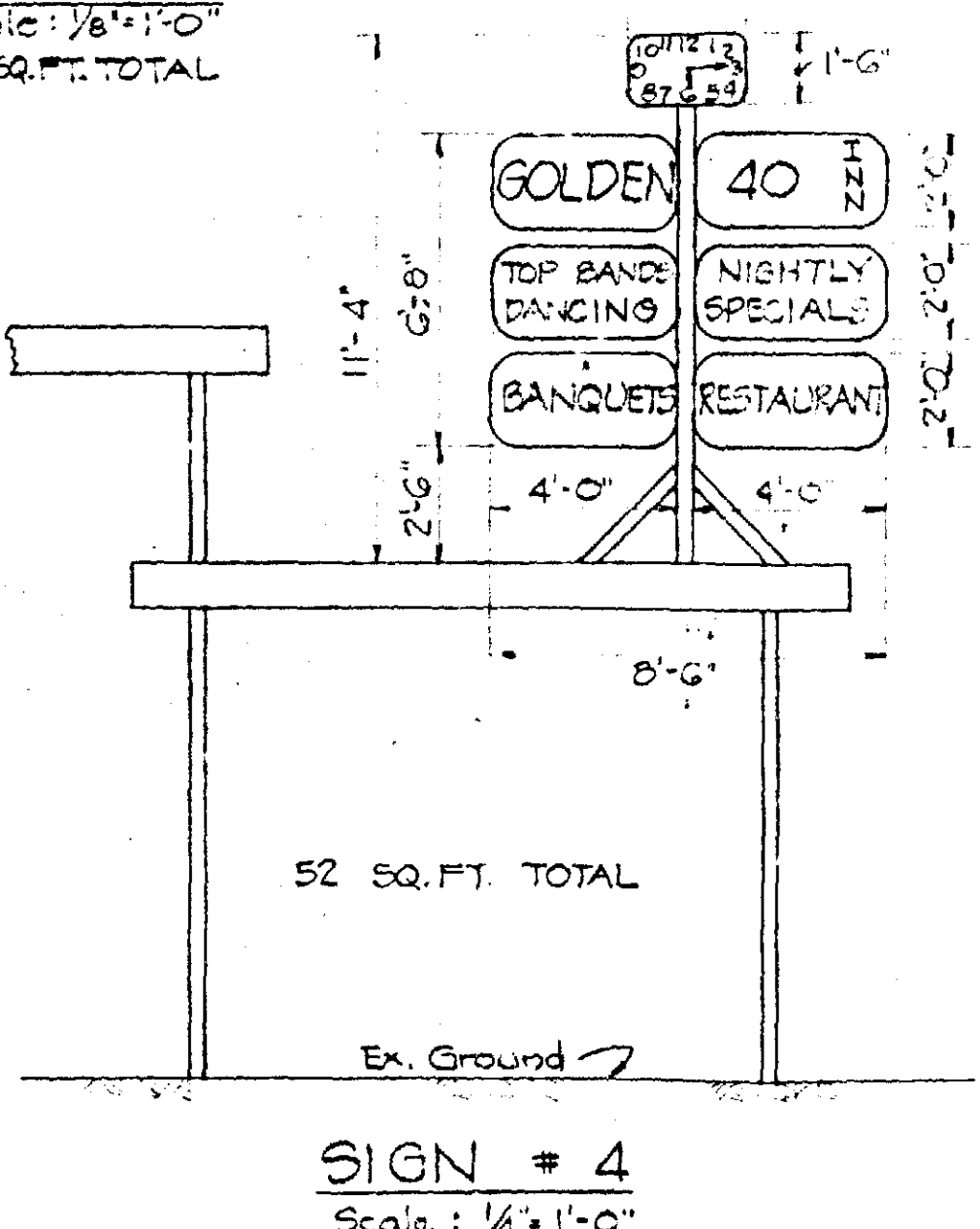
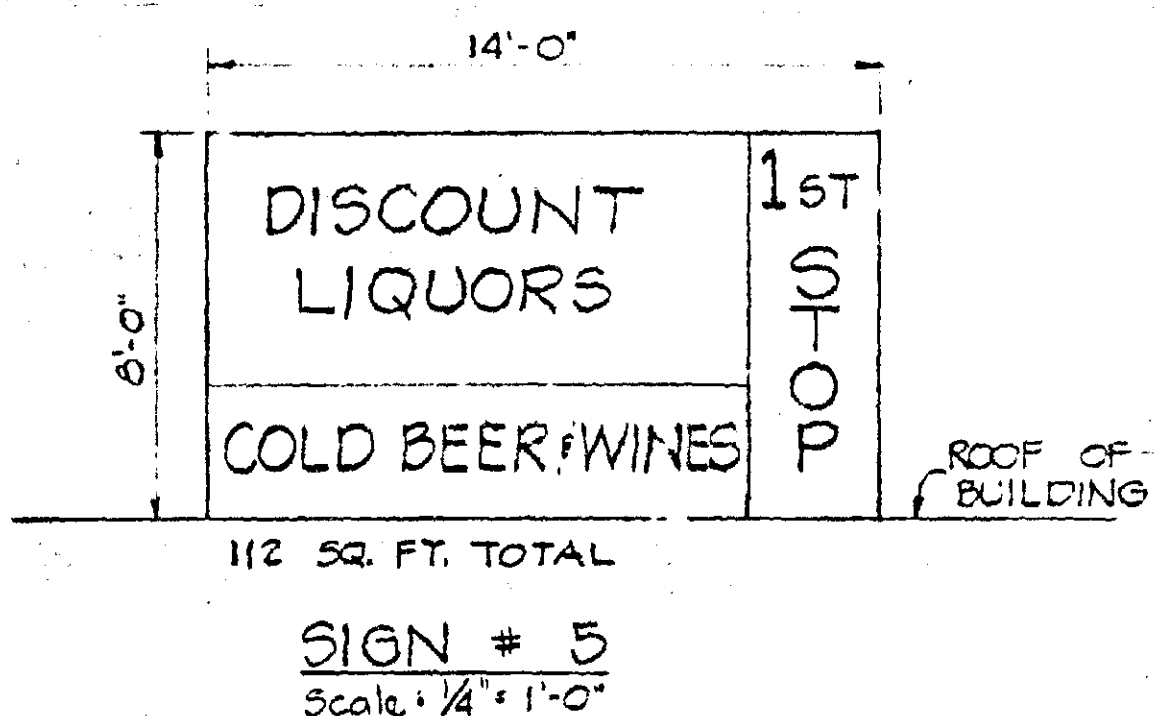
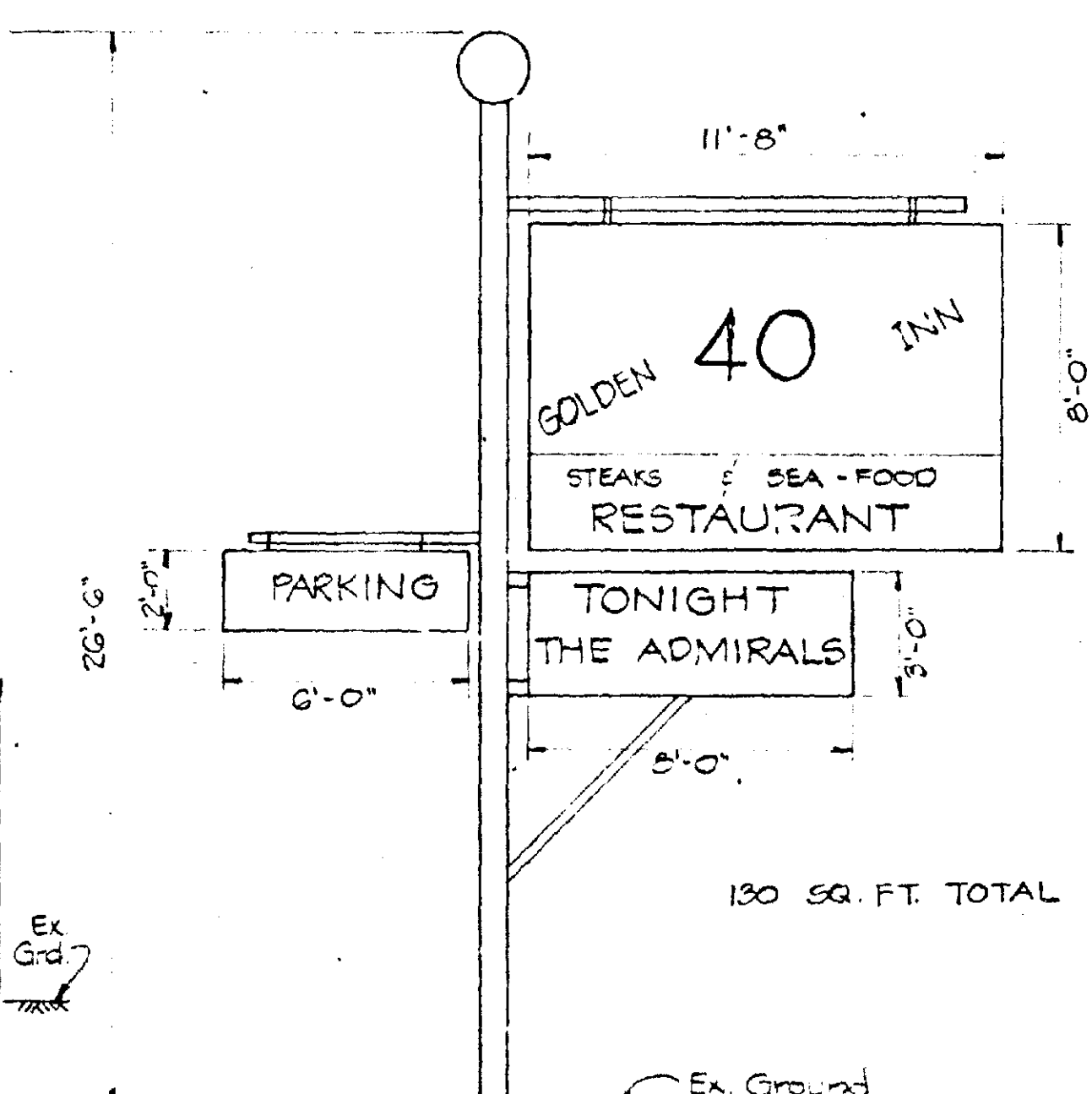
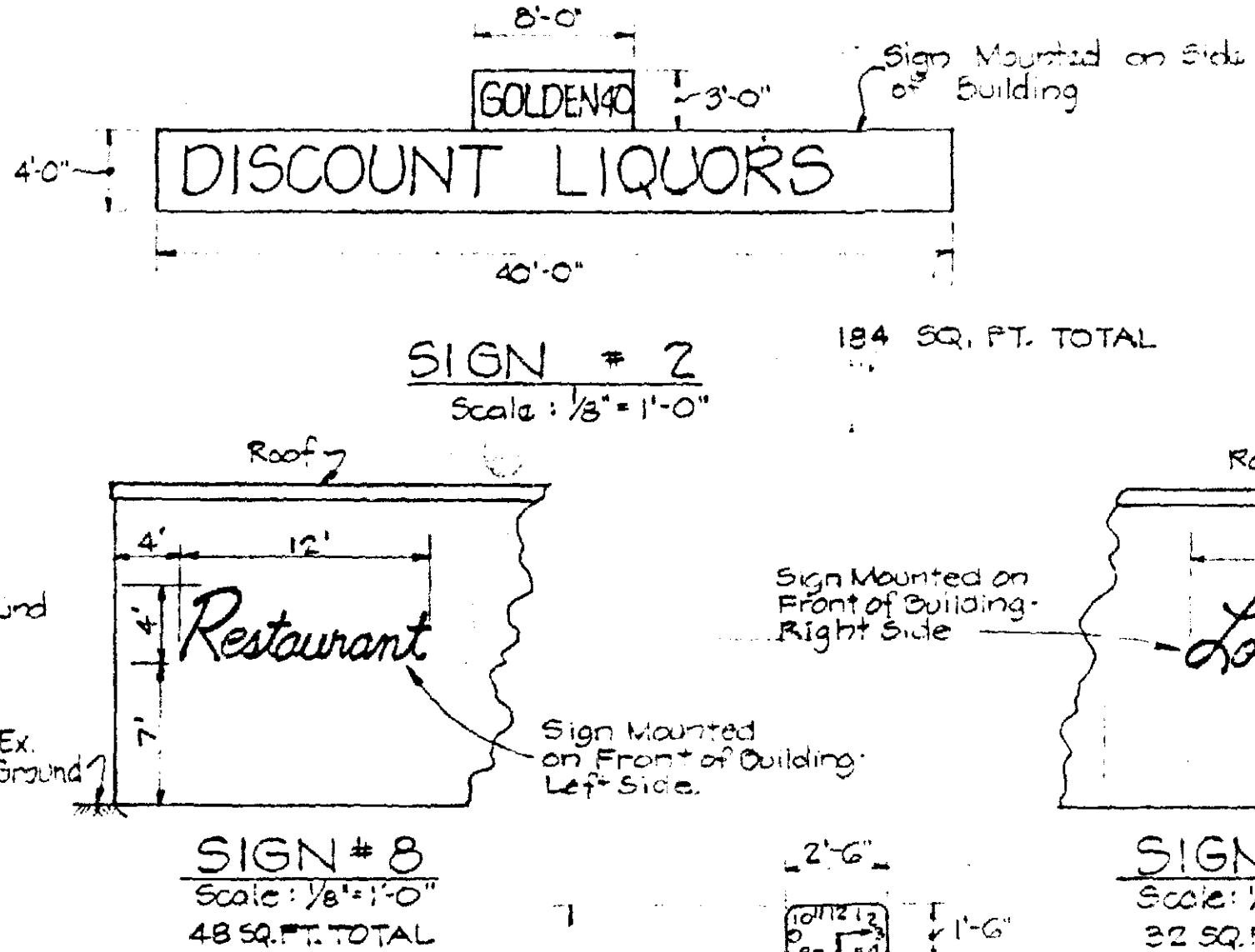
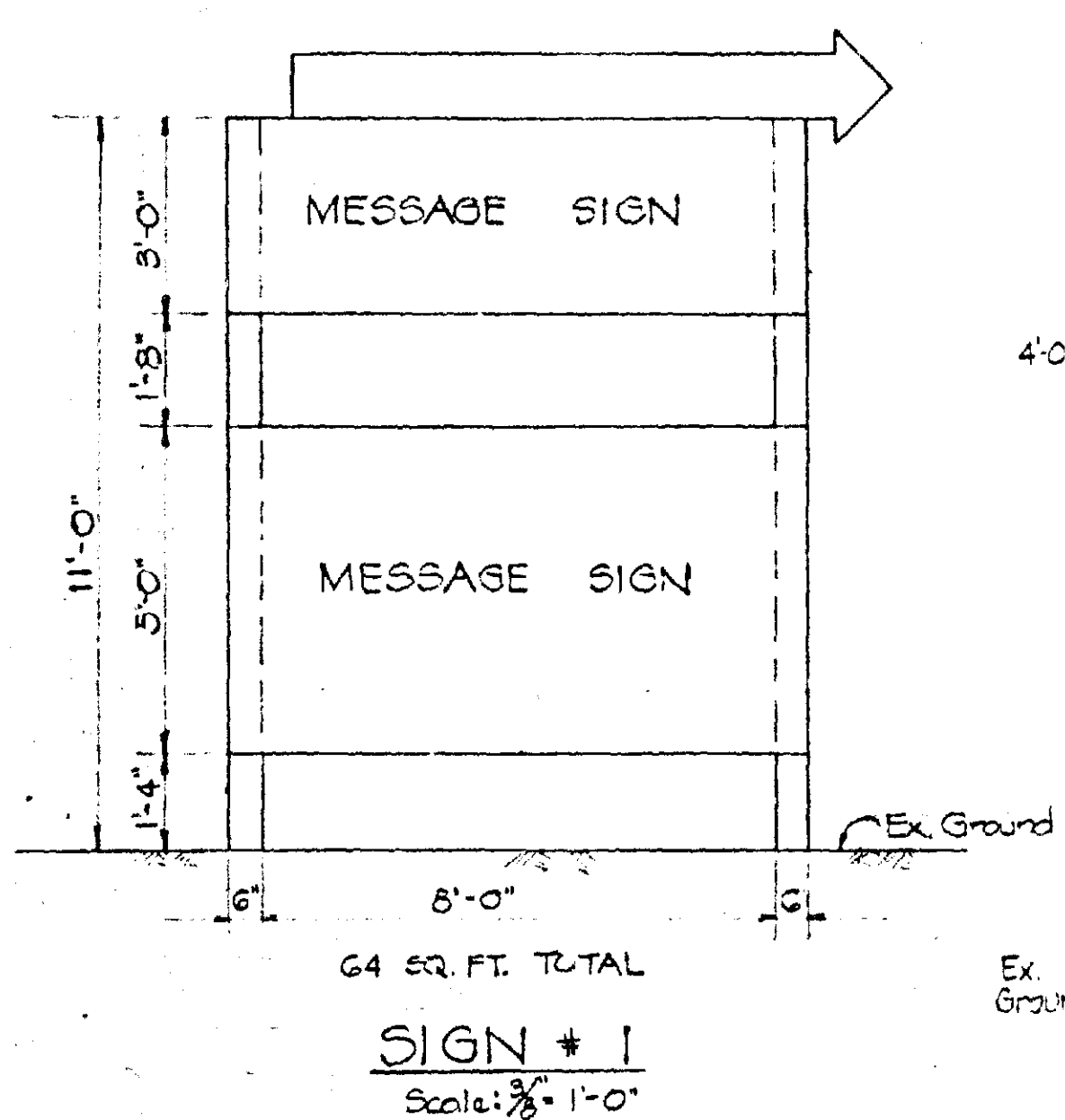


SIGN # 3
Scale: $\frac{1}{4}" = 1'-0"$

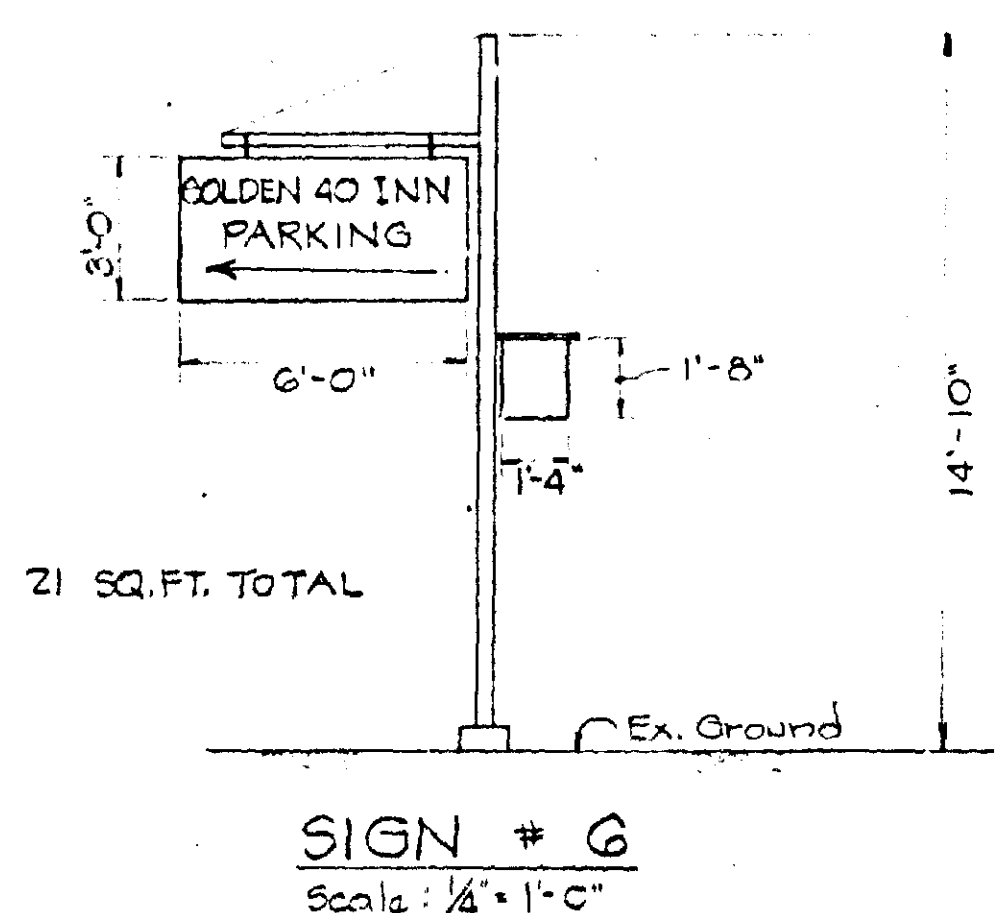


ENGINEERS
D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MARYLAND 21208

PLAT TO ACCOMPANY VARIANCE
PETITION FOR SQUARE FOOTAGE
(HEIGHT OF EXISTING SIGNS)
11th ELECT. DISTRICT BALTIMORE COUNTY, MD.
SCALE: AS SHOWN FEBRUARY 20, 1980
SHEET 2 OF 2



SIGN # 3
Scale: $\frac{1}{4}" = 1'-0"$



ENGINEERS
D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTIMORE, MARYLAND 21208

PLAT TO ACCOMPANY VARIANCE
PETITION FOR SQUARE FOOTAGE
(HEIGHT OF EXISTING SIGNS)
11th ELECT. DISTRICT BALTIMORE COUNTY, MD.
SCALE: AS SHOWN FEBRUARY 20, 1980
SHEET 2 OF 2

REVISED JULY 28, 1980 - L.T.D.